

MINUTES
LIVESTOCK FACILITY SITING REVIEW BOARD MEETING
April 18, 2008
Boardroom 106, 2811 Agriculture Drive, Madison, WI

Chair Holte called the meeting to order at 10 a.m. LFSRB members present were Lee Engelbrecht, Andy Johnson, Bob Selk, Bob Topel, Fran Byerly, and Jerry Gaska. A quorum was present. DATCP staff present were Cheryl Daniels, Lori Price, and Sue Porter.

Call to order

Holte stated the meeting agenda was publicly noticed, as required, and then presented the agenda for approval. Board members agreed to remove the portion of the agenda that indicated that the Roth example would be used in the SNAP Plus presentation. A fictitious plan example will be used instead. Johnson moved to approve the amended agenda, and Engelbrecht seconded the motion. The motion passed.

Holte presented the April 4, 2008, meeting minutes for approval. Selk had one change to first page, 4th paragraph, last sentence: change "should" to "would." Price also had a change to page 2, 2nd paragraph, second to last sentence: change "ATCP 50" to "ATCP 51." Topel moved to approve the minutes as corrected, and Byerly seconded the motion. The motion passed.

Ronald S. Stadler v. Crawford County, Docket No. 08-L-01: demonstration of the Soil Nutrient Application Program (SNAP-Plus); discussion on SNAP-Plus; identification of issue(s) on appeal; LFSRB deliberation on case; LFSRB decision; and set date for LFSRB signoff of final written decision on May 16, 2008

Porter explained the SNAP-Plus program using a fictitious farm with feeder pigs. Her presentation covered the different screens where data is entered. The farm narrative screen gives the location of the fields and the crops grown. The field attributes screen is used extensively by conservation planners. The soil tests screen gives a history of individual soil sample data for each field. The nutrient sources data screen gives an estimation of manure volume based on number of animals on the farm. This screen is also where the animal units are calculated. The cropping screen is where the entire program comes together in that it includes the crop type; yield; type of tillage; and recommendations for nitrogen, phosphorus, and potassium, including carryover amounts. If the nitrogen amounts turn red on this screen, they are too high and the plan will need to be adjusted. Porter also covered how to view a brief report on soils, print out the cropping trends report that shows liquid and dry manure applied per year, and view a report on field data and 590 assessment. She also explained that nutrient management plans using SNAP-Plus are constantly being updated as farm operations change, and that her role is to train farmers and planners how to use this program for nutrient management planning.

After the presentation, the board members discussed with Porter the credit shown on the farm narrative screen, the relationship between the soil series and nitrogen restrictions, where the nitrogen percentage comes from, how chemicals containing nitrogen are accounted for, other

“flags” for other nutrients, where the crop removal of nutrients information is located in the program, how NRCS 590 standards are incorporated into the program, and how double crops are entered. The board members then discussed how this presentation applied to the case before them at today’s meeting.

Next, the board members discussed the issues on appeal. The board members agreed that the two issues on appeal were the nutrient management plan and odor, and whether they both met the standards in ATPC 51. The odor issue was addressed first with the board discussing the reason for two odor sheets, where the waste storage was located, and odor generation numbers. Selk made a motion to find that the odor management worksheet does comply with the ATPC 51 odor standard. Topel seconded the motion. The motion passed.

The board then discussed the nutrient management issue. The board members discussed the difference in animal units listed in the plan versus listed on the application, and whether there was sufficient acreage for land spreading based on the animal units in the application. They also discussed whether to allow for DATCP staff to clarify the differences between the animal units in the plan versus the SNAP program. The board members decided not to take additional testimony. The board took a lunch break and returned to this discussion afterwards. Board members agreed that the nutrient management plan did not support the 1703 animal units as requested in the application. Johnson made a motion that the challenge to the Crawford County Board’s granting of a livestock siting permit for the Roth Farm is valid because the application is not complete, credible, and internally consistent in that the nutrient management plan does not reflect the maximum number of 1703 animal units; therefore, the board shall reverse the decision of the Crawford County Board to grant the permit. Topel seconded the motion. Motion passed unanimously. It was clarified that this motion would not affect the odor decision made earlier because animal units were not part of the early decision.

The board members agreed to review the draft decision and sign off on it at their May 16th meeting.

Larson Acres, Inc. v. Town of Magnolia, Docket No. 07-L-01: update on circuit court appeals—Cheryl Daniels, DATCP

Daniels reported that the circuit court judge has set a pre-trial conference for May 9th so she will not have any further information on a briefing schedule until after that date.

Report from the April 5, 2008, conference on Environmental Impacts of Large Livestock Operations in Wisconsin—Cheryl Daniels

Daniels reported this conference presented information on Karst topography and the livestock siting law. The law and the LFSRB were represented fairly in the presentation. The attendees at the conference consisted of large and small farm operators, farm neighbors, and state agencies.

Board schedule and future agenda items

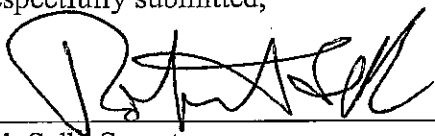
Holte reiterated that the next LFSRB meeting will be on May 16th with one agenda item being the board's review and signoff of their decision on the Stadler v. Crawford County case. Gaska requested that if the meeting is a teleconference call, he would like it to start at 11 a.m.

Before the meeting adjourned, Daniels reported that Johnson was recommended by the DATCP secretary for reappointment to the LFSRB. His reappointment is pending until the senate confirms it.

Adjourn

Johnson moved to adjourn the meeting, and Engelbrecht seconded the motion. The motion passed. The meeting ended at 1:50 p.m.

Respectfully submitted,

 5.16.08

Bob Selk, Secretary Date

Recorder: LP